

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2994 of 2018

Arising Out of PS. Case No.-350 Year-2004 Thana- KUDHNI District- Muzaffarpur

Md. Ahmad @ Ahmad, S/o Md. Atabul @ Md. Ataul, resident of Village-
Bara Sumera, P.S.- Kurhani, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Neeraj Kumar Alias Sanidh, Adv
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 09.07.2018 in Kurhani P.S. Case No.350 of 2004 passed by the learned 11th Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Muzaffarpur, registered under Sections 323,324,341 of the Indian Penal Code, Section 25(1-B)a/26 of the Arms Act and Section 3(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of commission of assault with butt of the pistol is against co-accused-Juman. No specific overt-act is alleged against the appellant. Appellant is in custody since 10.06.2018. Investigation of



the case is complete.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.12.2018
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